

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
) No. 03 MDL 1570 (RCC)
) ECF Case
)

This document relates to:

ASHTON, *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 02-CV-6977;
BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*, Case No. 03-CV-5738;
BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*, Case No. 03-CV-9849;
CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 04-CV-05970;
EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07279;
FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*, Case No. 03-CV-6978;
NEW YORK MARINE AND GENERAL INSURANCE CO. v. AL QAIDA, *et al.*, Case No. 04-CV-6105;
ESTATE OF O'NEILL, *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-1923;
TREMSKY, *et al.* v. OSAMA BIN LADEN, *et al.*, Case No. 02-CV-7300; and
WORLD TRADE CENTER PROPERTIES LLC, *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07280.

**DEFENDANTS' SUPPLEMENTAL BRIEF
PURSUANT TO CASE MANAGEMENT ORDER NO. 4**

Defendants Saudi Arabian Red Crescent Society, Dr. Abdul Rahman Al Swailem, Sheikh Saleh Al-Hussayen, Dr. Abdullah Bin Abdul Mohsen Al-Turki, Dr. Abdul Bin Saleh Al-Obaid, Dr. Abdullah Naseef, Sheikh Hamad Al-Husaini, Sheikh Safer Al-Hawali, Sheikh Salman Al-Oadah, Shahir Batterjee, Mohammad Ali Mushayt, the Mushayt for Trading Establishment, Talal M. Badkook, the M.M. Badkook Company, and Dr. Adnan Basha, by and through undersigned counsel, respectfully notify this Court that their "Response to Plaintiffs' Amended Complaints" (Doc. Nos. 1414-1424), which they filed on October 18, 2005, pursuant to Rule 15(a), Fed. R. Civ. P., also constitute their supplemental briefs pursuant to Case Management

Order No. 4, ¶ 5 (Dec. 9, 2005).¹

Respectfully submitted,

/s/ Lynne Bernabei

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DATED: January 9, 2006

¹ This Court dismissed Sheikh Hamad Al-Husaini from the first *Burnett* action (originally filed in the District of Columbia), for lack of personal jurisdiction. *In re: Terrorist Attacks on Sept. 11, 2001*, 349 F. Supp. 2d 765, 817-18 (S.D.N.Y. 2005).

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2006, I caused the foregoing to be served electronically on counsel of record by the Court's Electronic Case Filing (ECF) System, pursuant to ¶ 9(a) of Case Management Order No. 2 (June 16, 2004).

/s/ Alan R. Kabat

Alan R. Kabat